



EPA Resolves Past Hazardous Waste Incinerator Violations by Norlite, LLC in Cohoes, NY

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NEW YORK (May 21, 2020) The U.S. Environmental Protection Agency (EPA) has settled a case against Norlite, LLC to resolve past violations of the Clean Air Act related to the testing of their hazardous waste combustor (HWC) emissions and setting of operating parameter limits at its Cohoes, NY facility. The facility was found to be violating EPA's HWC Maximum Achievable Control Technology (MACT) requirements. EPA has been monitoring the facility's actions as it came into compliance with these requirements and the settlement announced today requires the payment of \$150,000 for the past violations.

This action is separate from the investigation of recent concerns voiced regarding the incineration of firefighting foam at Norlite.

"EPA is working to enforce the Clean Air Act to protect public health," said EPA Regional Administrator Pete Lopez. "We are working to ensure that the facility has done what it needs to do to comply with the important air quality regulatory requirements. EPA's work at this facility continues as we address the unrelated issue involving incineration of Aqueous Film Forming Foam (firefighting foam) at the facility. Here, EPA is partnering with New York State Department of Conservation to determine if EPA can lend technical expertise to assess AFFF incineration activities at the site."

The violations resolved by today's announced settlement were identified during an EPA inspection in 2015 and a review of data going back to 2012. The inspection and data review revealed exceedances of operating limits, called Operating Parameter Limits or OPLs.

In March 2015, EPA conducted a compliance evaluation inspection at Norlite's facility to assess the company's compliance with the HWC MACT. As part of the inspection, EPA requested production and operational data from Norlite for its kilns. EPA's review of Norlite's data revealed that the company had exceeded multiple OPLs on numerous occasions over the course of three years (2012- 2014). Specifically, Norlite exceeded the OPL for maximum gas exit temperature, which is necessary to control emissions of dioxins and furans, and it exceeded the OPL for minimum pressure drop in the scrubber, which impacts the ability to control emissions of hydrogen chloride, chlorine gas and particulate matter.

Norlite subsequently submitted information to the EPA showing that it exceeded the applicable emissions limits for chromium, arsenic, and beryllium during a performance test the company conducted on December 7, 2017.

As background, EPA issued an Administrative Compliance Order on May 18, 2016, directing Norlite to, among other things, come into compliance with the then-applicable OPLs and conduct additional performance testing to update the applicable OPLs for one of its kilns. Norlite conducted a Comprehensive Performance Test on Kiln 1 of its Cohoes facility in December 2017. The Clean Air Act requires that these performance tests be conducted every five years. Norlite had been alternating the kilns for which they conducted the performance tests during each five-year cycle.

Norlite demonstrated compliance with the Clean Air Act requirements for Kiln 1 during the December 2017 performance test, which also re-established the operating parameter limits for the kiln. The EPA further pursued a penalty for the past violations, which is the subject of the settlement being announced today.

For more information visit <https://www.epa.gov/stationary-sources-air-pollution/hazardous-waste-combustors-national-emission-standards-hazardous>

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